

**DECLARATION OF
MARTIN SRAMEK
ISO GOOGLE LLC'S
RESPONSE TO THE
COURT'S 10/27/22
ORDER TO SHOW
CAUSE (DKT. 784)**

**Redacted Version of
Document Sought to
be Sealed**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA OAKLAND DIVISION

CHASOM BROWN, et al., individually and
on behalf of all similarly situated,

Plaintiffs,

vs.

GOOGLE LLC,

Defendant.

Case No. 4:20-cv-03664-YGR-SVK

DECLARATION OF MARTIN ŠRÁMEK

1. I am the Privacy Working Group lead for Chrome. I have been employed at Google since October 2014, and I have worked on issues related to Chrome privacy for the duration of my tenure. I make this declaration based on personal knowledge and, if called to testify, I could and would competently testify to such facts.

2. On May 31, 2022, I submitted a declaration describing my then-ongoing investigation into the existence and use of “Incognito-detection bits,” as that term was defined in the Court’s May 20, 2022 order, and other potential uses of the X-Client-Data header or its absence to infer Incognito browsing.

3. On June 14, 2022, I submitted a supplemental declaration describing the results of my then-complete three-week investigation and identifying [REDACTED] additional logs that included the Incognito-detection bits.

4. On August 18, 2022, I submitted a second supplemental declaration that further described my investigation and its results.

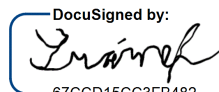
5. As my previous declarations discussed, my investigation consisted of a search of Google source code for all references to the X-Client-Data header, surveys of [REDACTED] teams identified as owners of responsive source code, and follow-up interviews with [REDACTED] teams whose survey responses indicated that they could be treating the absence of the X-Client-Data header as

1 indicative of Incognito browsing, including but not limited to use of the Incognito-detection bits.
2 As a confirmatory measure, I also worked with Matt Harren, a [REDACTED] Logs Technical Lead, to
3 attempt to identify any additional log that may contain the Incognito-detection bits regardless of
4 whether any Google employees are using those bits to infer Incognito traffic.

5 6. On the basis of the three-week investigation referenced in my declarations of May
6 31, 2022 and June 14, 2022, and further described in paragraph 5 of my declaration of August 18,
7 2022, I have not identified any engineers or teams who used the absence of the X-Client Data
8 Header to infer use of Chrome Incognito, other than previously disclosed uses by Bert Leung and
9 affiliated engineers on the Google Ads team, and by the [REDACTED] team. I understand that Google
10 engineers familiar with the logs I identified in my June 14, 2022 declaration are providing separate
11 declarations concerning the Incognito-detection bits in those logs, and I am not making any
12 representations about the uses of those bits beyond those in my prior declarations.

13
14 I declare under penalty of perjury that the foregoing is true and correct.

15 Executed on the 29 day of November 2022 at Munich, Germany.

16
17 By: 
18 67C6B456C3FB482...
19 Martin Šrámek
20
21
22
23
24
25
26
27
28